

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Bryan W. Vidler et al.
Serial No. : 10/822,386
Filed : April 12, 2004
Patent No. : 7,758,080
Issued : July 20, 2010
Title : DATA BARRIER FOR HEALTH RELATED INFORMATION
Docket : STD 1222 PA/41213.596
Art Unit : 3725
Confirm. No. : 2855
Examiner : Ross, Dana

MAIL STOP PATENT EXT.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EFS Web Electronic Submission
July 15, 2010

Sir:

**REQUEST FOR RECONSIDERATION OF
PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(d)**

Applicants hereby request reconsideration of the patent term adjustment indicated in the patent under 37 CFR §1.705(d). The fee set forth in § 1.18(e) is enclosed via Credit Card Payment in the amount of \$200.00.

According to the Issue Notification, the Patent Term Adjustment under 35 U.S.C. 154(b) is 1507 days. However, Applicants believe the correct Patent Term Adjustment under 35 U.S.C. 154(b) should be 1650 days. According to 37 CFR § 1.702/1.703/1.704 the following adjustments are as follows:

"A" Delay - § 1.702(a)(1)/1.703(a)(1) = 509 days (06/13/2005 - 11/03/2006)

"A" Delay - § 1.702(a)(2)/1.703(a)(2) = 22 days (03/30/2007 - 04/18/2007)

"B" Delay - § 1.702(b)/1.703(b) = 1195 days (04/13/2007 - 07/20/2010)

"C" Delay - § 1.702(e)/1.703(e) = 680 days (02/12/2008 - 12/22/2009)

Total Overlapping days = 686 days ("A" and "B" (04/13/2007 - 04/18/2007) = 6 days and "B" and "C" (02/12/2008 - 12/22/2009) = 680 days)

Total Applicant Delay - § 1.704 = 70 days

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("A" + "B" + "C" - Overlapping days - Applicant delay) = Total Patent Term Adjustment under 37 CFR §1.702 based on the issue date of July 20, 2010 is 1650 days. Note that the patent is not subject to a terminal disclaimer. Applicants respectfully request a Certificate of Correction be issued to the above-identified patent reflecting the reflecting the Patent Term Adjustment under 35 U.S.C. 154(b) of 1650 days.

The request reconsideration of the patent term adjustment pursuant to 37 CFR §1.705(d) is filed within two months of the date the patent issued and complies with the requirements of 37 CFR 1.705(b)(1) and (b)(2). If there are any questions or comments regarding this request, please contact the undersigned at the telephone number indicated below.

Respectfully submitted,
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